

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY  
LITIGATION

Master File No. 2:12-MD-02327  
MDL 2327

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ETHICON WAVE 12 CASES LISTED IN  
EXHIBIT A TO PLAINTIFFS' NOTICE OF  
ADOPTION

JOSEPH R. GOODWIN U.S. DISTRICT  
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSE OF  
ROBERT ROGERS, M.D., FOR WAVE 12**

Plaintiffs filed a Notice of Adoption [Dkt. 8738] in the Wave 12 cases identified in Exhibit A to their Notice adopting their *Daubert* Motion to Preclude Testimony of Defense Expert Robert Rogers, M.D., and Supporting Memorandum from Ethicon Wave 2. The Court previously overruled most of Plaintiffs' objections to Dr. Rogers's testimony, [Dkt. 3545].

Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to Robert Rogers, M.D., in Ethicon Wave 2, [Dkt. 2488]. Defendants respectfully request that the Court deny Plaintiffs' motion, for the reasons expressed in the Wave 2 response briefing and as adopted by this Court in its prior ruling.

Respectfully submitted,

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Counsel for Defendants

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**CERTIFICATE OF SERVICE**

I hereby certify that on this day, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage

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